

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

JEFFREY J. SKARDA, as Personal  
Representative of the Estate of Lynell G. Skarda,

Plaintiff,

v.

Case No. 09-CV-1186-KG-WLP

JOHNSON & JOHNSON, a corporation,  
ORTHO-McNEIL PHARMACEUTICAL, INC.,  
a corporation, ORTHO-McNEIL-JANDSSEN  
PHARMACEUTICALS, INC., a corporation  
and JOHNSON & JOHNSON  
PHARMACEUTICAL RESEARCH AND  
DEVELOPMENT, L.L.C., a corporation,

Defendants.

ORDER

On June 20, 2014, the Court held a hearing on two pending motions in this case, Plaintiff's Motion to Approve Designation of Expert Witness and Defendants' Expedited Motion to Deem Plaintiff's Rule 26 Expert Disclosures Insufficient and to Exclude Plaintiff's Expert Witnesses. (Docs. 48 and 51). Present at the hearing were Michael T. Garrett, counsel for Plaintiff, and Tiffany L. Roach Martin, Timothy C. Holm, and William Essig<sup>1</sup>, counsel for Defendants. Having considered comments by counsel, and for the reasons articulated by the Court during the hearing, the Court determines the following:

1. on or before July 20, 2014, Defendants must identify, in writing, any expert witness which they will use at trial, and they must provide expert reports pursuant to Rule 26(a)(2)(B);
2. the termination date for discovery is August 15, 2014;
3. on or before August 15, 2014, the parties may file motions relating to discovery;

---

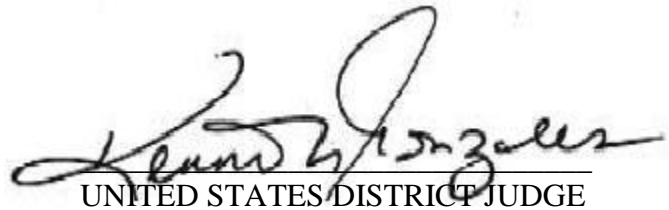
<sup>1</sup> Mr. Essig appeared telephonically.

4. counsel are directed to submit a consolidated final pretrial order as follows: Plaintiff to Defendants on or before October 13, 2014; Defendants to Court on or before October 27, 2014;

5. an Initial Pretrial Conference is set for November 4, 2014, at 10:00 a.m. in Las Cruces, New Mexico;

6. the Final Pretrial conference is set for November 21, 2014, at 10:00 a.m. in Las Cruces, New Mexico; and

7. a Jury Trial is set for December 1, 2014, in Las Cruces, New Mexico.



UNITED STATES DISTRICT JUDGE